

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

T. BARRY GRAY, individually and as EXECUTOR of the
ESTATE OF THELMA L. GRAY
Plaintiffs,

v.

ANGELA L. MARTINEZ,
individually and in her capacity as Director of Office of Judicial
Support of Delaware County
and
DEBORAH L. GASTON,
individually and in her capacity as former Director of Office of
Judicial Support of Delaware County
and
TCIF REO CIT, LLC
and
SELECT PORTFOLIO SERVICING, INC.,
formerly known as Fairbanks Capital Corporation
and
WACHOVIA BANK NAT'L ASSOC.,
formerly known as First Union National Bank
and
JOSEPH F. MCGINN,
individually and in his capacity as
Sheriff of Delaware County

Defendants,

CIVIL ACTION

NO. 08-2603

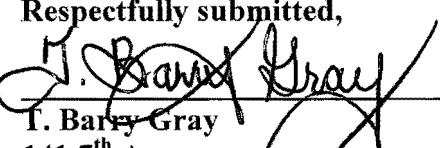
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**REQUEST FOR ENTRY OF DEFAULT
AGAINST DEFENDANT TCIF REO CIT, LLC**

Plaintiff T. Barry Gray, individually, by and through self-representation, hereby requests, pursuant to Fed. R. Civ. P. 55(a), that the Clerk of this Court enter the default of Defendant TCIF REO CIT, LLC for its failure to plead or otherwise defend the above-captioned action in accordance with Fed. R. Civ. P. 12(a). The attached sworn/affirmed declaration of T. Barry Gray, supports this Request for Entry of Default.

Respectfully submitted,

By:


T. Barry Gray
141 7th Avenue
Folsom, PA 19033
610-757-0039

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ENTRY OF DEFAULT

Having failed to appear, plead, or otherwise defend in this action, a DEFAULT is hereby entered against Defendant TCIF REO CIT, LLC, pursuant to Fed. R. Civ. P. 55(a).

Dated this _____ day _____, 2010.

CLERK, UNITED STATES DISTRICT COURT

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CIVIL ACTION

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DECLARATION OF T. BARRY GRAY, INDIVIDUALLY

I, T. Barry Gray, pursuant to 28 U.S.C. § 1746 do hereby declare as follows:

1. I am a pro se plaintiff in the above-captioned matter.
2. I caused the summons and complaint in the above-captioned matter to be served upon Defendant TCIF REO CIT, LLC on September 14, 2010. Service is evidenced by the Return of Service that was filed with the Court on October 15, 2010.
3. Pursuant to Fed. R. Civ. P 12(a), TCIF REO CIT, LLC was required to plead or otherwise respond to the complaint by October 5, 2010.
4. TCIF REO CIT, LLC has not responded as required by Fed. R. Civ. P 12(a), and the time for such response has not been extended by the Court.

5. The declaration is made pursuant to the provisions of the Soldiers and Sailors Civil Relief Act of 1940 and the provisions of the Soldiers and Sailors Civil Relief Act Amendments of 1942; and that after investigation, the declarant hereby alleges that TCIF REO CIT, LLC is not in the military service of the United States, nor has TCIF REO CIT, LLC been detailed to any military service with any branch of the armed forces of the United States.

6. The declarant further certifies that TCIF REO CIT, LLC is neither an infant nor an incompetent.

Under penalty of perjury I declare that the foregoing is true and correct.

Executed this 24th day of November 2010.



A handwritten signature in black ink, appearing to read "T. Barry Gray". Below the signature, the name "T. Barry Gray, Indiv." is printed in a smaller, sans-serif font.

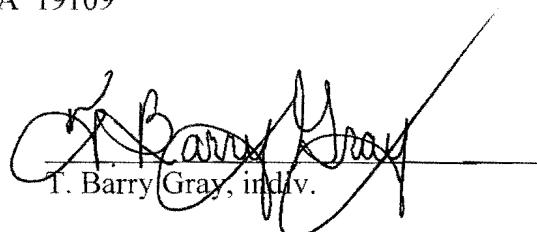
CERTIFICATE OF SERVICE

I, T. Barry Gray hereby certify that on this 24th day of November, 2010 I caused a true and correct copy of the foregoing Request To Enter Default, Entry of Default and Declaration of T. Barry Gray, individual, to be served by U.S. mail, postage prepaid, addressed as follows:

TCIF REO CIT, LLC
3815 South West Temple
Salt Lake City, UT 84115

Holsten & Associates
One Olive Street
Media, Pennsylvania 19063
Counsel for Angela L. Martinez, Deborah L. Gaston, and Joseph F. McGinn

Wachovia Bank, National Assoc.
123 South Broad Street
Philadelphia, PA 19109



T. Barry Gray, indiv.

A handwritten signature in black ink, appearing to read "T. Barry Gray". It is written in a cursive style with a long horizontal line extending from the end of the signature to the right.